

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RICHARD SNYDER,	:	
	:	
Plaintiff,	:	Civ. A. No. 11-0003 (NLH) (AMD)
	:	
v.	:	
	:	ORDER
DIETZ & WATSON, INC., et al.,	:	
	:	
Defendants.	:	

This matter having come before the Court by way of motion of Defendants, Dietz & Watson, Inc., Louis Eni, Jr. and Christopher Eni, seeking dismissal of the complaint pursuant to Fed. R. Civ. P. 12(b)(6); and for the reasons expressed in the Opinion entered on even date;

IT IS on this 22nd day of December 2011,

ORDERED that Defendants' motion [Doc. No. 4] to dismiss Plaintiff's original complaint shall be, and is hereby, **DISMISSED AS MOOT**; and it is further

ORDERED that Defendants' motion [Doc. No. 13] to dismiss Plaintiff's amended complaint shall be, and is hereby, **GRANTED in part** and **DENIED in part**; and it is further

ORDERED that Plaintiff's claims set forth in Counts I, II, III, IV, and V of the amended complaint, as well as Plaintiff's

claim in Count VI that Defendants as escrow agents breached a fiduciary duty shall be, and are hereby, **DISMISSED WITHOUT PREJUDICE**. Plaintiff's claims for conversion as set forth in Count VII and breach of fiduciary duty based on Defendants' failure to pay wages as set forth in Count VI shall be, and are hereby, **DISMISSED WITH PREJUDICE**. Plaintiff's claims in Count VIII, IX and X shall remain in this case; and it is further

ORDERED that Plaintiff may file an amended complaint within **twenty (20) days** of entry of this Order.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.